

Amend Subsection 360(b),
Title 14, California Code of Regulations
Re: Deer: X Zone Hunts

- Existing regulations provide for the number of hunting tags for the X zones. The proposal changes the number of tags for all existing zones to a series of ranges presented in the following table. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range. Pursuant to its May 8, 2003 meeting, the Fish and Game Commission adopted the following quotas:

Deer: § 360(b) X-Zone Hunts Tag Allocations			
Zone	Current	Original Proposal	Modified Proposal
X-1	2,780	1,000-6,000	2,555
X-2	190	50-500	120
X-3a	290	150-1,500	255
X-3b	900	200-3,000	850
X-4	530	100-1,500	420
X-5a	115	50-300	90
X-5b	160	50-800	125
X-6a	380	100-1,200	325
X-6b	415	100-1,200	330
X-7a	290	50-600	165
X-7b	80	10-200	105
X-8	550	100-750	430
X-9a	725	100-1,200	770
X-9b	300	100-600	300
X-9c	850	100-1,000	650
X-10	400	200-600	400
X-12	1,130	100-1,500	760

IV. Description of Modifications of Originally Proposed Language of Initial Statement of Purpose:

No changes have been made in the originally proposed regulatory language.

V. Reasons for Modification of Originally Proposed Language of Initial Statement of Purpose:

No changes have been made in the originally proposed regulatory language.

VI. Summary of Primary Considerations Raised in Opposition and in Support:

No comments have been received in opposition to or in support of the proposed action.

VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:
California Fish and Game Commission
1416 Ninth Street
Sacramento, California 95814

VIII. Location of Department files:

Department of Fish and Game
1812 Ninth Street
Sacramento, California 95814

IX. Descriptions of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

There is no reasonable alternative to the proposed action.

(b) No Change Alternative:

The no change alternative was considered and found inadequate to attain the project objectives. Retaining the current number of tags for the zones listed may not be responsive to changes in the status of the herds. The deer herd management plans specify objective levels for the proportion of bucks in the herds. These ratios are maintained and managed in part by modifying the number of tags. The no change alternative would not allow management of the desired proportion of bucks stated in the approved deer herd management plans.

(c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States: The agency is not aware of any cost impacts that a representative business would necessarily incur in reasonable compliance with the proposed action. The proposed action modifies three zone area descriptions and adjusts tag quotas for existing zones. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.
- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business: The agency is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

Updated Informative Digest/Policy Statement Overviews

Existing regulations provide for the number of hunting tags for the X zones. The proposal changes the number of tags for all existing zones to a series of ranges presented in the following table. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range.

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The Commission, at its May 8, 2003 meeting, adopted the proposed changes, including the tag allocations for each zone.

Subsection 360(b), Title 14, CCR, is amended to read as follows:

§ 360. Deer.

(b) X-Zone Hunts.

(1) Zone X-1.

(A) Area: In those portions of Lassen, Modoc, Shasta and Siskiyou counties within a line beginning at the California-Oregon state line and its intersection with Highway 139; south on Highway 139 to the Lookout-Hackamore Road; south on the Lookout-Hackamore Road to Highway 299; west on Highway 299 to the Pit River near Bieber; south and west on the Pit River to Highway 89 at Lake Britton; northwest on Highway 89 to Interstate 5 at Mt. Shasta; north on Interstate 5 to the junction of Highway 97 at Weed; north and east on Highway 97 to the California-Oregon state line; east on the California-Oregon state line to the point of beginning.

(B) Season: The season in Zone X-1 shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~2,780~~; 2,555.

(2) Zone X-2.

(A) Area: In those portions of Modoc and Siskiyou counties within a line beginning at the intersection of Highway 139 and the California-Oregon state line near Tulelake; east along the California-Oregon state line to the eastern shoreline of Goose Lake; southwest along the eastern shoreline of Goose Lake to Westside Road (Modoc County 48); southeast along the Westside Road to Highway 395 in Davis Creek; south along Highway 395 to Highway 299 in Alturas; west along Highway 299 to Highway 139 near Canby; northwest along Highway 139 to the Oregon-California state line and the point of beginning.

(B) Season: The season in Zone X-2 shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~490~~; 120.

(3) Zone X-3a.

(A) Area: In those portions of Lassen and Modoc counties within a line beginning at the intersection of the Lookout-Hackamore Road and Highway 139; southeast on Highway 139 to Highway 299; east on Highway 299 to Highway 395 in Alturas; south on Highway 395 to the Termo-Grasshopper Road (Lassen County 513); west on the Termo-Grasshopper Road to Highway 139; south on Highway 139 to the Cleghorn Road (Lassen County 521); west and north on the Cleghorn Road to Lassen County Road 519 near Coulthurst Flat; west on Lassen County Road 519 to U.S. Forest Service Designated Through Route 22 near Gooch Mountain; west and north on U.S. Forest Service Designated Through Route 22 to the Little Valley Road (Lassen County 404); north on the Little Valley Road to the Western Pacific Railroad; northeast on the Western Pacific Railroad to Horse Creek; northwest on Horse Creek to the Pit River; north on the Pit River to Highway 299 at Bieber; northeast on Highway 299 to the

Bieber-Lookout-Hackamore Road; north along the Bieber-Lookout-Hackamore Road to the point of beginning.

(B) Season: The season in Zone X-3a shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~290.~~ 255.

(4) Zone X-3b.

(A) Area: In those portions of Lassen and Modoc counties within a line beginning at the east shoreline of Goose Lake and the California-Oregon state line; east along this state line to the California-Nevada state line; south along the California-Nevada state line to the Clarks Valley-Red Rock-Tuledad Road (Lassen County Roads 512, 510 and 506); west along the Tuledad Red Rock-Clarks Valley Road to Highway 395 at Madeline; north on Highway 395 to Westside Road (Modoc County 48) in Davis Creek; west and north along Westside Road to the south shoreline of Goose Lake; east and north along the south and east shoreline of Goose Lake to the point of beginning.

(B) Season: The season in Zone X-3b shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~900.~~ 850.

(5) Zone X-4.

(A) Area: In those portions of Lassen and Shasta counties within a line beginning at the junction of Highways 89 and 44 at Old Station; north on Highway 89 to the intersection with the Pit River at Lake Britton; east and south on the Pit River to Horse Creek; southeast on Horse Creek to the Burlington Northern Railroad; southwest on the Burlington Northern Railroad to the Little Valley Road (Lassen County 404); south on the Little Valley Road to U.S. Forest Service Designated Through Route 22; south and east on U.S. Forest Service Designated Through Route 22 to Lassen County 519 near Gooch Mountain; east on Lassen County 519 to Cleghorn Road (Lassen County 521) near Coulthurst Flat; east on Cleghorn Road to Highway 139; south on Highway 139 to its crossing of Willow Creek in the Willow Creek Valley; south (downstream) on Willow Creek to its crossing of Conservation Center Road (Lassen County A-27); west on Conservation Center Road to Highway 36; northwest on Highway 36 to the intersection with Highway 44; north and west on Highway 44 to the point of beginning.

(B) Season: The season in Zone X-4 shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~530.~~ 420.

(6) Zone X-5a.

(A) Area: In that portion of Lassen County within a line beginning at the junction of Highway 395 and Conservation Center Road (Lassen County A-27) in the town of Litchfield; west on Conservation Center Road to its crossing of Willow Creek; northwest (upstream) on Willow Creek to its crossing of Highway 139 in the Willow Creek Valley;

north along Highway 139 to the Termo-Grasshopper Road; east on the Termo-Grasshopper Road to Highway 395; south along Highway 395 to the point of beginning.

(B) Season:

The season in Zone X-5a shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~445~~. 90.

(7) Zone X-5b.

(A) Area: That portion of Lassen County lying within the following line: Beginning at the junction of Highway 395 and the Clarks Valley-Red Rock-Tuledad Road (Lassen County Roads 506, 510 and 512); east on the Clarks Valley-Red Rock-Tuledad Road to the California-Nevada state line; south on the California-Nevada state line to the Pyramid Lake Road (Lassen County 320); west on the Pyramid Lake Road to Highway 395; north on Highway 395 to the point of beginning.

(B) Season:

The season in Zone X-5b shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~460~~. 125.

(8) Zone X-6a.

(A) Area: In those portions of Lassen and Plumas counties within a line beginning at the junction of Highway 147 and Highway 36 near Westwood; east on Highway 36 to Conservation Center Road at Susanville (County Road A-27); east on Conservation Center Road to Highway 395 at the town of Litchfield; east on Highway 395 to the Wendel-Pyramid Lake Road (County Road 320); east on the Wendel-Pyramid Lake Road to the Nevada-California state line; south on the Nevada-California state line to the UP-WP railroad line near Herlong; west on the UP-WP railroad line to the Herlong Access Road (County Road A- 25) at Herlong; west on the Herlong Access Road to Highway 395; north on Highway 395 to County Road 336 at Milford; southwest on County Road 336 to U.S. Forest Service Road 26N16 near the Plumas-Lassen county line; west on Forest Service Road 26N16 to Forest Service Road 28N03 at Doyle Crossing; west on Forest Services Road 28N03 to Forest Service Road 29N43 near Antelope Lake; south on Forest Service Road 29N43 to County Road 111 at Flournoy Bridge; south on County Road 111 to Forest Service Road 24N08; south on Forest Service Road 24N08 to County Road 112 at Lake Davis; south on County Road 112 to Highway 70; west on Highway 70 to the Highway 89 junction at Blairsden; west on Highway 89/70 to the Greenville Y west of Quincy; northwest on Highway 89 to Highway 147 at Canyon Dam; north on Highway 147 to the point of beginning.

(B) Seasons: The season in Zone X-6a shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~380~~. 325.

(9) Zone X-6b.

(A) Area: In those portions of Lassen and Plumas counties within a line beginning at the junction of County Road 336 and Highway 395 at Milford; south on Highway 395 to the junction of Highway 395 and the Herlong Access Road (County Road A-25); east on the Herlong Access Road to its junction with the UP-WP railroad line at Herlong; east on the UP-WP railroad line to the Nevada-California state line; south on the Nevada-California state line to the junction of the Nevada-California state line and Highway 395 at Bordertown; northwest on Highway 395 to its junction at Highway 70; west on Highway 70 to its junction with County Road 112; north on County Road 112 to its junction with U.S. Forest Service Road 24N08 at Lake Davis; north on Forest Service Road 24N08 to its junction with County Road 111; northwest on County Road 111 to its junction with Forest Service Road 29N43 at Fournoy Bridge; north on Forest Service Road 29N43 to Forest Service Road 28N03 near Antelope Lake; southeast on Forest Service Road 28N03 to Forest Service Road 26N16 at Doyle Crossing; east on Forest Service Road 26N16 to County Road 336 near the Plumas-Lassen county line; north on County Road 336 to the point of beginning.

(B) Season: The season in Zone X-6b shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~445~~. 330.

(10) Zone X-7a.

(A) Area: In those portions of Lassen, Nevada, Plumas and Sierra counties lying within a line beginning at the junction of Highway 395 and the California-Nevada state line at Bordertown; south along the Long Valley Road (County Road S570) to its intersection with the Henness Pass Road (County Road S860); west on Henness Pass Road over Summit 2 to the intersection with County Road S450 (near the Davies Creek Campground at Stampede Reservoir); west on County Road S450 (the Henness Pass Road) through Kyburz Flat to its intersection with Highway 89; south on Highway 89 to its intersection with Interstate 80 at Truckee; west on Interstate 80 to the Pacific Crest Trail near the Castle Peak-Boreal Ridge Summit; north on the Pacific Crest Trail to the new road to White Rock Lake (one mile west of White Rock Lake in section 21, T18N, R14E, M.D.B.M.); north on the new White Rock Lake Road below Bear Valley to the White Rock Lake Road; north on the White Rock Lake Road to the Jackson Meadows Highway (Fiberboard Road); east two miles on the Jackson Meadows Highway to the Yuba Pass Road at Webber Lake; north on the Yuba Pass Road (main haul road) through Bonta Saddle to Highway 49 at Yuba Pass; west on Highway 49 to the new Gold Lake Road at Bassetts; north on the new Gold Lake Road to Highway 89 near Graeagle; north on Highway 89 to Highway 70; east on Highway 70 to Highway 395 at Hallelujah Junction; south on Highway 395 to the point of beginning.

(B) Season: The season in Zone X-7a shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~290~~. 165.

(11) Zone X-7b.

(A) Area: In those portions of Nevada, Placer and Sierra counties lying within a line beginning at the junction of Highway 395 and the California-Nevada state line at Bordertown; south along the California-Nevada state line to the shore of Lake Tahoe; west and south along the shore of Lake Tahoe to the mouth of Blackwood Creek near Idlewild; west on Blackwood Creek to Highway 89; north on Highway 89 to Blackwood Canyon Road; Blackwood Canyon Road near Idlewild; west along Blackwood Canyon Road to Forest Route 03; west and south along Forest Route 03 to the Pacific Crest Trail at Barker Pass; north on the Pacific Crest Trail to its intersection with Interstate 80 near the Castle Peak-Boreal Ridge Summit; east on Interstate 80 to its intersection with Highway 89 at Truckee; north on Highway 89 to County Road S450 (the Henness Pass Road, a.k.a. the Kyburz Flat Road); east on County Road S450 to its intersection with County Road S860 (continuation of Henness Pass Road) near the Davies Creek Campground at Stampede Reservoir; east on County Road S860, over Summit 2 to the junction with County Road S570 (the Long Valley Road); north on County Road S570 to Bordertown at the point of beginning.

(B) Season: The season in Zone X-7b shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~80.~~ 105.

(12) Zone X-8.

(A) Area: In those portions of Alpine and El Dorado counties within a line beginning at the junction of the California-Nevada state line and Highway 50; southeast along the California-Nevada state line to the Indian Springs Road, south to the Alpine-Mono County line; south along the Alpine-Mono county line to the Sierra crest; northwest along the Sierra crest to the intersection with the Pacific Crest Trail near Wolf Creek Pass; northwest along the Pacific Crest Trail to Highway 50 at Echo Summit; northeast on Highway 50 to the point of beginning.

(B) Season: The season in Zone X-8 shall open on the fourth Saturday in September and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~550.~~ 430.

(13) Zone X-9a.

(A) Area: In those portions of Fresno, Inyo, Madera and Mono counties within a line beginning at the intersection of Highway 6 and the California-Nevada state line; south along Highway 6 to its junction with Highway 395; south along Highway 395 to its junction with Highway 168; west and south along Highway 168 to the North Lake Road turnoff; west along the North Lake Road and the Piute Pass Trail to the Sierra Crest (Inyo National Forest Boundary); north along the Inyo National Forest Boundary to the Deer Creek Trail; south and west along the Deer Creek Trail to the upper crossing of Deer Creek; west and south along Deer Creek to its confluence with Fish Creek; west along Fish Creek to its confluence with the middle fork of the San Joaquin River; north along the middle fork of the San Joaquin River to the junction of King Creek; west along

King Creek to the junction of Ashley Creek; west along Ashley Creek to Ashley Lake; continue west along Ashley Creek to the junction of the Inyo National Forest boundary; north along the Inyo National Forest Boundary (the crest of the Ritter Range) to the Mono-Madera county line; north along the Mono-Madera county line to Mono-Tuolumne county line; north on the Mono-Tuolumne county line to the Virginia Lakes Trail (Entry Trail D-11); east along Virginia Lakes Trail to Virginia Lakes Road; east along Virginia Lakes Road to Highway 395; south along Highway 395 to Highway 167; east on Highway 167 to the California-Nevada state line; southeast on the California-Nevada state line to the point of beginning.

(B) Season: The season in Zone X-9a shall open on the third Saturday in September and extend for 24 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~725~~ 770.

(14) Zone X-9b.

(A) Area: That portion of Inyo County within a line beginning at the intersection of Highway 395 and Cottonwood Creek; northwest along Cottonwood Creek to the Horseshoe Meadow Road; south along the Horseshoe Meadow Road to the Cottonwood Pass Trail; west along the Cottonwood Pass Trail through Horseshoe Meadow to the Inyo-Tulare county line at Cottonwood Pass; north on the Inyo-Tulare and the Inyo-Fresno county lines to the Piute Pass Trail; east along the Piute Pass Trail to the North Lake Road; east and south on the North Lake Road to Highway 168; north and east on Highway 168 to Highway 395; south on Highway 395 to the point of beginning.

(B) Season: The season in Zone X-9b shall open on the third Saturday in September and extend for 24 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: 300.

(15) Zone X-9c.

(A) Area: In those portions of Inyo and Mono counties within a line beginning at Highway 395 and the Kern-Inyo county line; north along Highway 395 to Highway 6; north on Highway 6 to the California-Nevada state line; southeast along the California-Nevada state line to Highway 127; south along Highway 127 to the Inyo-San Bernardino county line; west along the Inyo-San Bernardino county line to the Kern-Inyo county line; west along the Kern-Inyo county line to the point of beginning.

(B) Season: The season in Zone X-9c shall open on the third Saturday in October and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~850~~ 650.

(16) Zone X-10.

(A) Area: In those portions of Kern, Tulare and Inyo counties within a line beginning at the intersection of Highway 178 and the Doyle Ranch Road in the town of Onyx; north along the Doyle Ranch Road to the South Fork of the Kern River; north along the South

Fork of the Kern River to the Chimney Meadow-Blackrock Station Road (Forest Road 21S03); northwest along the Chimney Meadow-Blackrock Station Road through Troy Meadows to the road's end at the Inyo and Sequoia National Forest boundary near Blackrock Mountain; northwest along the Inyo and Sequoia National Forest boundary to the main Kern River; northwest along the main Kern River to the Sequoia National Park boundary; northeast along the Sequoia National Park boundary to the Inyo-Tulare county line; southeast along the Inyo-Tulare county line to the Cottonwood Pass Trail at Cottonwood Pass; east along the Cottonwood Pass Trail through Horseshoe Meadow to the Horseshoe Meadow Road; north along the Horseshoe Meadow Road to Cottonwood Creek; southeast along Cottonwood Creek to Highway 395; south along Highway 395 to Highway 14; south along Highway 14 to Highway 178; north and west along Highway 178 to the point of beginning.

(B) Season:

The season in Zone X-10 shall open on the last Saturday in September and extend for 16 consecutive days.

(C) Bag and Possession Limit:

One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: 400.

(17) Zone X-12.

(A) Area: That portion of Mono County within a line beginning at the junction of the California-Nevada state line and Highway 167 (Pole Line Road); west on Highway 167 to Highway 395; north on Highway 395 to Virginia Lakes Road; west on Virginia Lakes Road to the Virginia Lakes Trail (Entry Trail D11); northwest on the Virginia Lakes Trail to the Mono-Tuolumne county line; north along the Mono-Tuolumne county line to the Mono-Alpine county line; northeast along the Mono-Alpine county line to Indian Springs Road; northeast on Indian Springs Road to the California-Nevada state line; southeast on the California-Nevada state line to the point of beginning.

(B) Season: The season in Zone X-12 shall open on the third Saturday in September and extend for 24 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351 (a)) or better, per tag.

(D) Number of Tags: ~~1,130.~~ 760.

NOTE: Authority: Sections 200, 202, 203, 220, 460, 3452, 3453 and 4334, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 458, 459, 460, 3452, 3453 and 4334, Fish and Game Code.